

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

ANDREW ROYER,

Plaintiff

v.

DENNIS CHAPMAN, VICKI E.  
BECKER, in their individual capacities,  
and ELKHART COUNTY SHERIFF'S  
DEPARTMENT,

Defendants

Case No. 3:22-cv-254-CCB-MGG

DEFENDANT ELKHART COUNTY SHERIFF'S DEPARTMENT'S  
PARTIAL MOTION TO DISMISS WITH RESPECT TO THE FEDERAL CLAIMS  
OF PLAINTIFF ANDREW ROYER'S AMENDED COMPLAINT (DE 202)

Defendant Elkhart County Sheriff's Department, by counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6), moves the Court to dismiss Plaintiff Andrew Royer's Amended Complaint (Doc. 202) as to the federal claims against the Sheriff's Department, for the reason that Royer does not state an actionable claim, as more fully set forth in the Sheriff's Department's supporting brief filed contemporaneously herewith.

WHEREFORE, Defendant Elkhart County Sheriff's Department respectfully requests that the Court dismiss the federal claims of Plaintiff Andrew Royer's Amended Complaint against it and grant all other proper relief.

YODER, AINLAY, ULMER & BUCKINGHAM, LLP  
Attorneys for Elkhart County Sheriff's Department

/s/ Michael F. DeBoni

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### **Certificate of Service**

I certify that on June 12, 2024, my office electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to all counsel of record registered to receive same.

/s/ Michael F. DeBoni

Michael F. DeBoni (#12434-20)